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RCE  
JPW

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Date: April 27, 2006

By: Esther Miller  
Esther Miller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
David Murray Melrose

Serial No.: 09/689,957

Examiner: Smalley, James N.

Filed: October 12, 2000

Art Unit: 3727

For: A Container Having Pressure  
Responsive Panels

### REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

05/02/2006 CHGUYEN 00000040 09689957

01 FC:1801

790.00 OP

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other

b. Enclosed are:

☒ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of listed reference(s).

☐ Other Application Data Sheet.

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

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	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	32	- 86	= 0	x \$50.00	= \$0.00
Independents	11	- 15	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

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☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1020.00		\$1020.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$1020.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$1020.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1,810.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$1,810.00

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

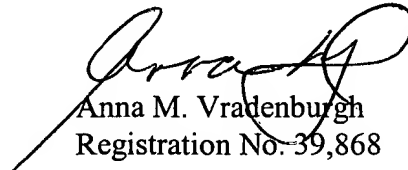
☒ A check in the amount of \$ \$1,810.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. § 1.16-1.17, or credit any overpayment, to Deposit Account No. 11-1580. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 11-1580.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Dated: April 27, 2006

  
 Anna M. Vradenburgh  
 Registration No. 39,868

KOPPEL, PATRICK & HEYBL  
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 Thousand Oaks, California 91360  
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AMV/em